



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant(s): Walke et al.

Application No.: 09/818,990                      Group Art Unit: 1645

Filed: March 27, 2001                      Examiner: Not Yet Assigned

Title: Novel Human Proteins and Polynucleotides  
Encoding the Same

Attorney Docket No.: LEX-0152-USA

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**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS  
FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE  
AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Assistant Commissioner for Patents  
Arlington, VA 22202

Sir:

In response to the Notice to Comply mailed June 17, 2002, in connection with the above-identified application, Applicants submit herewith: (i) a Sequence Listing in computer readable form pursuant to 37 C.F.R. §1.821(e); and (ii) a Verified Statement Concerning Sequence Listing Under 37 C.F.R. § 1.821(f). Applicants respectfully request the entry of the computer readable form of the Sequence Listing into the file.

Applicants believe that no fee is due in connection with this response. However, the Commissioner is authorized to charge any required fee to Deposit Account No. 50-0892.

Respectfully submitted,

July 1, 2002

Date

*Lance K. Ishimoto by David W. Habler*      *DAVID W. HABLER*  
Lance K. Ishimoto      Reg. No. 41,071  
Reg. No. 41,866

LEXICON GENETICS INCORPORATED  
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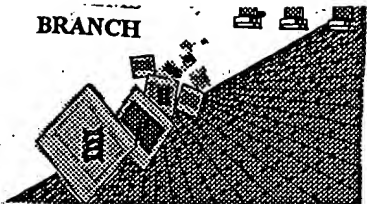
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PATENT TRADEMARK OFFICE



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**CRF Problem Report**

The Scientific and Technical Information Center (STIC) experienced a problem when processing the following computer readable form (CRF):

Application Serial Number: 09/818,990A  
Filing Date: 3-27-2001  
Date Processed by STIC: 3-8-2002

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STIC Contact: Mark Spencer, 703-308-4212

**Nature of Problem:**

The CRF (was):

- ☒ (circle one) Damaged or Unreadable (for Unreadable, see attached)  
☐ Blank (no files on CRF) (see attached)  
☐ Empty file (filename present, but no bytes in file) (see attached)  
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☐ Not saved in ASCII text  
☐ Sequence Listing was embedded in the file. According to Sequence Rules, submitted file should **only** be the Sequence Listing.  
☐ Did not contain a Sequence Listing. (see attached sample)  
☐ Other: \_\_\_\_\_

**PLEASE USE THE CHECKER VERSION 3.1 PROGRAM TO REDUCE ERRORS.  
SEE BELOW FOR ADDRESS:**

<http://www.uspto.gov/web/offices/pac/checker>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail. Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom. Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<<http://www.uspto.gov/ebc/efs/downloads/documents.htm>> , EFS Submission User Manual - ePAVE).
2. U.S. Postal Service: U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202
3. Hand Carry directly to:  
U.S. Patent and Trademark Office, Technology Center 1600, Reception Area, 7<sup>th</sup> Floor, Examiner Name, Sequence Information, Crystal Mall One, 1911 South Clark Street, Arlington, VA 22202  
Or  
U.S. Patent and Trademark Office, Box Sequence, Customer Window, Lobby, Room 1B03, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202
4. Federal Express, United Parcel Service, or other delivery service to: U.S. Patent and Trademark Office, Box Sequence, Room 1B03-Mailroom, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202

Revised 01/29/2002


Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)

Approval for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE


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 <p><b>TRANSMITTAL FORM</b></p> <p>Use only for all correspondence after initial filing)</p>	<b>Application Number</b>	09/818,990	
	<b>Filing Date</b>	March 27, 2001	
	<b>First Named Inventor</b>	Walke	
	<b>Group Art Unit</b>	1645	
	<b>Examiner Name</b>	Not Yet Assigned	
<b>Total Number of Pages in This Submission</b>	5	<b>Attorney Docket Number</b>	LEX-0152-USA


**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): - Return Postcard - Response to Notice to Comply - Part 2 - Notice to Comply and attachment - Sequence Listing in CRF on diskette - Verified Statement regarding Sequence Listing	
<table border="1"> <tr> <td>Remarks</td> </tr> </table>			Remarks
Remarks			

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

<b>Firm or Individual name</b>	Lexicon Genetics Incorporated Lance K. Ishimoto Reg. No. 41,866	 <b>24231</b> PATENT TRADEMARK OFFICE
<b>Signature</b>	Lance K. Ishimoto by David W. Hbler DAVID W. HBLER REG. NO. 41,071	
<b>Date</b>	July 1, 2002	

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Arlington, VA 22202 on this date: <span style="border: 1px solid black; padding: 2px;">July 1, 2002</span>			
<b>Typed or printed name</b>	Michelle Klein		
<b>Signature</b>		<b>Date</b>	July 1, 2002



UNITED STATES PATENT AND TRADEMARK OFFICE

JUL 08 2002

 COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/818,990	03/27/2001	D. Wade Walke	LEX-0152-USA

 24231  
 LEXICON GENETICS INCORPORATED  
 8800 TECHNOLOGY FOREST PLACE  
 THE WOODLANDS, TX 77381-1160

CONFIRMATION NO. 9270

## FORMALITIES LETTER



\*OC00000008298457\*

Date Mailed: 06/17/2002

# NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d). Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*

 Customer Service Center  
 Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE